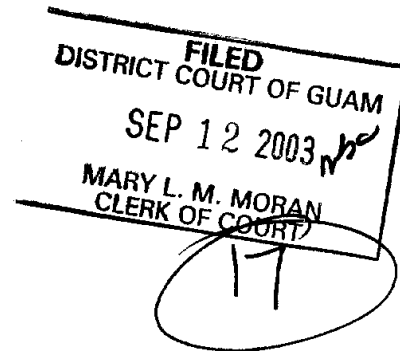


1 Steven A. Zamsky, Esq.  
2 ZAMSKY LAW FIRM  
3 Suite 805, GCIC Building  
4 414 West Soledad Avenue  
5 Hagåtña, Guam USA 96910  
6 Telephone: (671) 477-3637  
7 Facsimile : (671) 472-1584



8 Attorneys for Plaintiff Shell Guam, Inc.

9 IN THE DISTRICT COURT OF GUAM

10 SHELL GUAM, INC., )  
11 a Guam corporation, )

12 Plaintiff, )

13 vs. )

14 M/V GYOKO MARU NO. 18 )  
15 and NIKKI SUISAN CORPORATION, )  
16 a Japan corporation, )

17 Defendants. )  
18 \_\_\_\_\_ )

CIVIL CASE NO. CIV03-00021

AFFIDAVIT OF STEVEN A. ZAMSKY  
IN SUPPORT OF REQUEST  
FOR ENTRY OF DEFAULT

19 GUAM U.S.A. )

20 MUNICIPALITY OF HAGÁTÑA )

) ss:

21  
22 STEVEN A. ZAMSKY, being first duly sworn, depose and say as follows:

23 1. I am the attorney of record for Plaintiff Shell Guam, Inc. herein which is asking that  
24 Judgment be entered in favor of Plaintiff Shell Guam, Inc..

25 2. I make this Affidavit pursuant to FRCP Rule 55(a) and in support of the Request for  
26 Entry of Default of Defendant M/V Gyoko Maru No. 18 filed herewith and for entry of Judgment.  
27  
28

5 3. On June 18, 2003 the Verified Complaint *In Rem* and *In Personam* and  
6 Warrant of Arrest were personally served on the Master of Defendant M/V Gyoko Maru No.  
7 18, at the Port Authority of Guam, Piti, Guam USA, which is the last known place of business  
8 and employment of Defendant M/V Gyoko Maru No. 18 and on Nikki Guam Corporation, the  
9 owner's agent, pursuant to 18 GCA §6101. A copy of my letter to the Director of the Department  
10 of Revenue & Taxation, Government of Guam, is attached marked Exhibit "A". The Affidavit of  
11 Mailing by the Department of Revenue & Taxation is filed herewith.

12 4. On July 7, 2003 the Verified Complaint and Warrant of Arrest was mailed, via  
13 certified mail, to Rosita P. Basalotte, who is the Secretary/Officer of Nikki Guam, Corporation,  
14 owner agent of Defendant M/V Gyoko Maru No. 18. The Affidavit of Mailing is on file herein.

15 5. On July 8, 2003 the Notice of Action and Arrest was Published in the Pacific Daily  
16 News, a newspaper of general circulation in Guam USA. The Affidavit of publication is on file  
17 herein.

18 6. No party is known to have an interest in said Vessel. I have had no contact from any  
19 potential claimant.

20 7. Defendant M/V Gyoko Maru No. 18 has not answered or otherwise pled and the  
21 time for Defendant M/V Gyoko Maru No. 18 to answer or otherwise plead have not been  
22 extended.

23 8. Defendant M/V Gyoko Maru No. 18 is neither an infant or incompetent person.  
24  
25  
26  
27  
28

9. Entry of Default against Defendant M/V Gyoko Maru No. 18 should be entered as provided in said Rule.

**FURTHER THE AFFIANT SAYETH NAUGHT.**

Dated this 12th day of September 2003.

  
STEVEN A. ZAMSKY, AFFIANT

**SUBSCRIBED AND SWORN** to before me, the undersigned Notary Public, duly sworn and commissioned in and for Guam USA, this 12th day of September 2003 by STEVEN A. ZAMSKY.

  
NOTARY PUBLIC

MARIE T. CAMACHO  
NOTARY PUBLIC  
In and for Guam USA  
My Commission Expires: February 13, 2007  
My Commission Number: NP#03-0004  
Post Office Box 3745 Hagåtña, Guam USA 96932

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# ZAMSKY LAW FIRM

Steven A. Zamsky

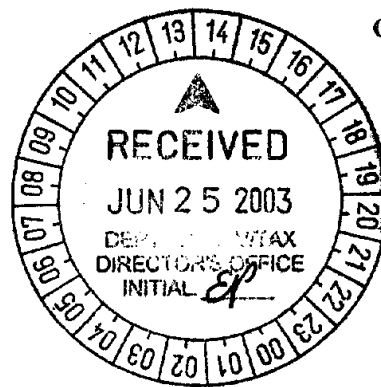
Of Counsel: John A. Bohn

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Telephone: (671) 477-3637  
Facsimile : (671) 472-1584  
e-mail: [szamsky@kuentos.guam.net](mailto:szamsky@kuentos.guam.net)

Admitted in:  
Guam  
CNMI

VIA HAND DELIVER

June 24, 2003



Artemio Ilagan  
Director

**DEPARTMENT OF REVENUE & TAXATION**

Government of Guam  
Building 13-1, 2<sup>nd</sup> Floor  
Mainer Avenue  
Tiyan Barrigada, Guam USA 96913

**COPY TO CLIENT**

DATE : 06/25/03  
BY : mail mtc  
Fax

Re: Shell Guam, Inc. v. M/V Hiro Maru No. 11  
District Court of Guam Civil Case No. CIV03-00019

Shell Guam, Inc. v. M/V Tenryu Maru No. 28  
District Court of Guam Civil Case No. CIV03-00020

Shell Guam, Inc. v. M/V Gyoko Maru No. 18, et al.  
District Court of Guam Civil Case No. CIV03-00021

Dear Mr. Ilagan:

Pursuant to 18 GCA §6101 enclosed herewith are duplicate copies of the Verified Complaints and Warrants of Arrest for each of the three (3) different Vessels and our check in the amount of Fifteen Dollars (\$15.00) for each Vessel.

Nikki Guam Corporation, we are informed, acts as the agent for each of those Vessels.

We have been unable to find any address for Nikki Guam Corporation on Guam or any designation of the agent for service of process.

*Affiliated with Law Firms in:*

*Anchorage • Portland • San Francisco • Seattle • Washington D.C. • Hong Kong • Frankfurt • London*

Page 2

Via Hand Deliver

Artemio Ilagan

Director

DEPARTMENT OF REVENUE & TAXATION

Re: Shell Guam, Inc. v. M/V Hiro Maru No. 11; CIV03-00019;

Shell Guam, Inc. v. M/V Tenryu Maru No. 28; CIV03-00020;

Shell Guam, Inc. v. M/V Gyoko Maru No. 18, et al.; CIV03-00021

June 24, 2003

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Should you have any questions, please feel free to call me.

Very truly yours,

ZAMSKY LAW FIRM

  
Steven A. Zamsky

Enclosures

NC: Philip W. Stalker, Vice President/Director of Finance, Shell Guam, Inc. (via facsimile no. (671) 649-9620)

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